

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:06cv28

KEVIN ALFORD, Individually; and	)	
JULIE E. ALFORD, Individually, and as	)	
Guardian <i>Ad Litem</i> for TAMEKA SHERRILL,	)	
	)	
Plaintiffs,	)	
	)	
Vs.	)	ORDER
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
	)	

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**THIS MATTER** is before the court on defendants' Motion to Dismiss Certain Defendants and to Substitute the United States as Party Defendant. In accordance with Local Rule 7.1, defendants have shown that counsel for plaintiffs have no objection to the motions. Having considered defendants' motion and reviewed the pleadings, and it appearing that the requested relief is appropriate under current case law, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendants' Motion to Dismiss Certain Defendants and to Substitute the United States as Party Defendant (#10) is **GRANTED**, and **THE BUREAU OF INDIAN AFFAIRS** and the **EASTERN BAND OF CHEROKEE INDIANS** are **DISMISSED** as parties defendant in this action, and the **UNITED STATES OF AMERICA** is **SUBSTITUTED** *eo nomine* for such named defendants as the real party in interest. Such substitution is reflected in the caption of this Order.

Signed: April 12, 2006

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

